

60.00 OATHS

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OATHS

60.01 Generally

Whenever under these rules or under any statute an oath is required to be taken, a solemn affirmation may be accepted in lieu thereof. T.R. 47(D)

Lack of belief in a supreme being or in the Christian religion does not render a witness incompetent. I.C. 34-45-2-12

Every person elected or appointed to any office under this constitution, shall, before entering on the duties thereof, take an oath or affirmation, to support the Constitution of this State, and of the United States, and also an oath of office. Ind. Const. Art. 15, Sec. 4

If an indictment, information, pleading, motion, petition, probable cause affidavit, or other document is required to be verified or sworn under oath before it is submitted to the court in a criminal action, the document meets the requirements of the law as a sworn document if the following form or a substantially similar form is used:

I swear (affirm), under penalty of perjury as specified by I.C. 35-44-2-1,
that the foregoing (the following) representations are true.

Signed _____ I.C. 35-44-1-2.4

60.02 Oath to Witnesses

“Do you solemnly swear or affirm under penalties of perjury to tell the truth, the whole truth, and nothing but the truth (so help you God)?”

I.C. 34-45-1-2; I.R.E. 603; Ind. Const. Art. 1, Sec. 8

60.03 Oath for Interpreters

“Do you solemnly swear (or affirm) that you will justly, truly, and impartially interpret to _____ the oath about to be administered to him (her), and the questions that may be asked him (her), and the answers that he (she) shall give to such questions, relative to the cause now under consideration before this court so help you God (or under the pains and penalties of perjury)?”

I.C. 34-45-1-5; I.R.E. 604

60.04 Bailiff's Oath on Viewing Scene

“Do you solemnly swear or affirm under penalties of perjury to keep this jury together, to conduct the jury to the (property) (scene) involved in this case, and there permit the jury to examine said (property) (scene); that you will not permit the jury to discuss any matter relative to this case during their absence from the courtroom; that you will not permit any other person to speak or communicate with the jury during said absence on any matter relative to this case; that you will promptly return said jury to the courtroom after they have reviewed said (property) (scene) (so help you God)?”

60.05 Voir Dire Oath

“Do you swear or affirm that you will honestly answer any question asked of you during jury selection?”

Indiana Jury Rule 13

60.06 Oath to Selected Jurors

“Do each of you swear or affirm that you will well and truly try the matter in issue between the parties, and give a true verdict according to the law and evidence?”

I.C. 34-36-3-6; Indiana Jury Rule 19

60.07 Bailiff's Oath

“Do you swear or affirm under penalties of perjury to keep the jury in this case together in the jury room in this courthouse, to furnish them with food as directed by the court, and to permit no person to speak or communicate with them, to speak or communicate with them yourself only by order of the court, or to ask them whether they have agreed upon a verdict, and to return them into court when so agreed or when so ordered by the Court?

Do you further solemnly swear or affirm under penalties of perjury that you will not communicate to any person the state of the deliberations of the jury (so help you God)?”

60.08 Oath of Staff

IN THE MATTER OF THE APPOINTMENT
OF _____

BE IT REMEMBERED, that on this ____ day of _____, 20__ the
undersigned as Judge of the _____ Court,
_____ County, Indiana, by virtue of his (her) office, does now appoint
_____ as _____
of the _____ Court beginning and continuing during the
pleasure of the Court.

STATE OF INDIANA

COUNTY OF _____

I, _____, do solemnly swear that I will support the
Constitution of the United States of America, and the Constitution of the State of Indiana,
and that I will faithfully and impartially discharge my duties as _____
of the _____ Court to the best of my ability (so help me God).

60.09 Oath of Jury Commissioner

“Do you solemnly swear (or affirm) that you will honestly, and without favor or
prejudice, perform the duties of jury commissioner during your term of office, that, in
selecting persons to be drawn as jurors, you will select none but persons whom you
believe to be of good repute for intelligence and honesty, that you will select none whom
you have been or may be requested to select, and that, in all of your selections, you will
endeavor to promote only the impartial administration of justice.”

I.C. 33-4-5-1

60.10 Oath of Appraisers

“We solemnly swear or affirm under the penalties of perjury that we will honestly and impartially assess the damages (or the benefits and damages) the defendant in this case may sustain due to the appropriation of the property described in the complaint at fair cash value and that we have no interest in these condemnation proceedings nor in any of the property being condemned by (condemning authority).”

Subscribed and sworn to before me this ____ day of _____, 20__.

Clerk of the _____ Court

I.C. 32-11-1-4; I.C. 32-11-1-6; I.C. 32-24-3-3

60.11 Oath of Receiver

_____, being first duly sworn, states that (s)he will perform his (her) duties as Court appointed Receiver in the above case faithfully and that (s)he will faithfully discharge the duties of Receiver in this action and obey the orders of the Court and Judge thereof.

State of Indiana)
) SS:
County of _____)

Subscribed and sworn to before me a Notary Public in and for said County and State this ____ day of _____, 20__.

Witness my hand and Notarial Seal.

Printed _____

County of residence: _____
My Commission expires: _____

I.C. 32-30-5-3; I.C. 34-48-1-3

60.12 Appointment and Oath of Temporary Judge

IN RE: THE APPOINTMENT OF _____
AS TEMPORARY JUDGE TO AND INCLUDING _____

State of Indiana)
) SS: _____ Court
County of _____)

I, _____, Judge of the _____ Court, hereby
appoint _____ as Temporary Judge of said Court by reason of
absence of the regular Judge of this County. Said appointment to be from _____
to and including _____.

_____, Judge
_____, Court

State of Indiana)
) SS:
County of _____)

I, _____ do solemnly swear or affirm that I will support the
Constitution of the United States and the Constitution of the State of Indiana, and that I
will honestly, faithfully and impartially discharge my duties as Temporary Judge of the
_____ Court, accordingly with the above and foregoing appointment to
the best of my knowledge, skill and ability.

Temporary Judge

Subscribed and sworn to before me this ____ day of _____, 20__.

_____, Clerk
_____, Court

I.C. 33-13-16-1

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